



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3975**
Katsumi IHARA et al. : Attorney Docket No. 2005_0097A
Serial No. 10/524,024 : Group Art Unit 1615
Filed February 9, 2005 : Examiner Suezu Y. Ellis
PATCH CONTAINING FENTANYL FOR : **Mail Stop: AF**
MUCOUS MEMBRANE OF ORAL CAVITY

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated October 14, 2008 of the Primary Examiner finally rejecting claims 1-6.

A timely response to the final rejection has been filed.

The extension fee of **\$1,110.00** for a three month extension of time is submitted with the attached Petition for Extension of Time.

The Appeal Fee of \$540.00 (other than Small Entity)
 \$270.00 (Small Entity)

is enclosed
 is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
 is enclosed.
 has been previously submitted.

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0 The Appeal Fee is not required since it was paid in a prior appeal.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Katsumi IHARA et al.

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